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8 UNITED STATES DISTRICT COURT

9 DISTRICT OF NEVADA

10 \*\*\*

11 UNITED STATES OF AMERICA, )

2:15-cr-18-APG-VCF

12 Plaintiff, )

13 vs. )

**STIPULATION TO CONTINUE  
SENTENCING HEARING**

14 LISSETTE ALVAREZ, )

(Fourth Request)

15 Defendant1. )  
16 \_\_\_\_\_ )

17 IT IS HEREBY STIPULATED AND AGREED, by and between Steven W. Myhre,  
18 Acting United States Attorney, by and through Daniel J. Cowhig, Assistant United States  
19 Attorney, and Defendant Lissette Alvarez, by and through her counsel, Mace J. Yampolsky,  
20 Esq., that:

- 21 1. Defendant Lissette Alvarez's sentencing hearing, currently scheduled for October  
22 12, 2017 at the hour of 9:00 a.m., be continued until some date beyond February  
23 15, 2018, to be determined by the convenience of the Court.
- 24 2. Defendant Lissette Alvarez may be called as a witness in the trial of the  
25 codefendants. That trial is scheduled to begin on June 18, 2018. Because her plea  
26 agreement includes provisions that require her to testify truthfully in that matter  
27 and in any other if called to do so, and because she expects her relative culpability  
28 to be a favorable factor in her sentencing, defendant Alvarez believes it in her best  
interest to defer sentencing until the trial of her codefendants is complete.

1           3.     The Defendant waives any right she might have to speedy sentencing in this  
2                 matter.

3           4.     The defendant is out of custody and agrees to continuance of the sentencing  
4                 hearing.

5           5.     Additionally, denial of this request for continuance could result in a miscarriage  
6                 of justice.

7           6.     This is the fourth request to continue sentencing in this case.

8           7.     Defense and Government counsel agree that the proposed continuance is sought  
9                 in good faith and not for purposes of delay.  
10

11           DATED this 2<sup>nd</sup> day of October, 2017.

12           STEVEN W. MYHRE  
13           United States Attorney

14                     /s/ Daniel J. Cowhig            
15           Daniel J. Cowhig  
16           Assistant United States Attorney

          /s/ Mace J. Yampolsky            
             Mace J. Yampolsky, Esq.  
             Counsel for Defendant Alvarez

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8 UNITED STATES DISTRICT COURT  
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11 UNITED STATES OF AMERICA, ) 2:15-cr-18-APG-VCF  
12 )  
13 Plaintiff, )  
14 vs. ) **FINDINGS OF FACT AND**  
15 ) **CONCLUSIONS OF LAW**  
16 LISSETTE ALVAREZ, )  
17 )  
18 Defendant1. )  
19 \_\_\_\_\_ )

20 **FINDINGS OF FACT**

21 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
22 Court hereby finds that:

- 23 1. Defendant Lissette Alvarez's sentencing hearing, currently scheduled for October 12,  
24 2017 at the hour of 9:00 a.m., be continued until some date beyond February 15,  
25 2018, to be determined by the convenience of the Court.
- 26 2. Defendant Lissette Alvarez may be called as a witness in the trial of the codefendants.  
27 That trial is scheduled to begin on June 18, 2018. Because her plea agreement  
28 includes provisions that require her to testify truthfully in that matter and in any other  
if called to do so, and because she expects her relative culpability to be a favorable  
factor in her sentencing, defendant Alvarez believes it in her best interest to defer  
sentencing until the trial of her codefendants is complete.

3. The defendant waives any right she might have to speedy sentencing in this matter.
4. The defendant is out of custody and agrees to continuance of the sentencing hearing.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
6. This is the fourth request to continue sentencing in this case.
7. Defense and Government counsel agree that the proposed continuance is sought in good faith and not for purposes of delay.


### **CONCLUSIONS OF LAW**

Based on the fact that Defendant Lissette Alvarez's testimony, her cooperation and its usefulness cannot be evaluated by the United States Attorney until the trial of the codefendants which commences on or about June 18, 2017, and based on the fact that counsel for the parties do not object to the continuance, and based on the fact that denial of this request for continuance could result in a miscarriage of justice; the Court hereby concludes that:

1. The ends of justice are served by granting said continuance since the failure to grant said continuance would be likely to result in a miscarriage of justice.

### **ORDER**

IT IS THEREFORE ORDERED that the sentencing date of Lissette Alvarez currently scheduled for October 12 2017, at the hour of 9:00 a.m., be vacated and continued until June 28, 2018 at 9:00 a.m. in Courtroom 6C.

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE  
DATED: October 2, 2017